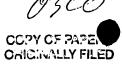
## CERTIFICATE OF MAILING







I hereby certify that this document is being deposited with the U.S. Postal Service with sufficient postage as first the U.S. mail in an envelope addressed to the Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231, on this //th day of December, 2001.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Joseph B. Richey, II

Title

**CARBON DIOXIDE-BASED** BI-LEVEL CPAP CONTROL

Serial No.

09/967,274

Filed

September 27, 2001

Attorney Docket No.

12873/04169

**Box Missing Parts Assistant Commissioner for Patents** Washington, DC 20231

## **RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts dated October 30, 2001, applicant respectfully submits an executed Declaration and Power of Attorney, Assignment (with Recordation Cover Sheet and Fee), and checks in the amount of \$130.00 to cover the filing fee and appropriate surcharge and \$40.00 to cover the Assignment. A copy of the Notice to File Missing Parts received from the Patent Office is also enclosed.

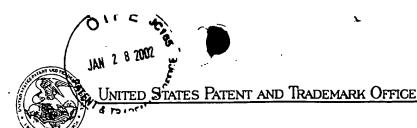
If additional fees are required please charge them to our Deposit Account No. 03-0172. Please credit any overpayment to same Deposit Account. A duplicate of this paper is attached.

Respectfully submitted,

Date: Dec 10 2001

Nenad Pejic, Reg. No. 37,415

(216) 622-8835





#3

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER

09/967,274 09/27/2001 Joseph B. Richey II 12873/04169

24024 CALFEE HALTER & GRISWOLD, LLP 800 SUPERIOR AVENUE SUITE 1400 CLEVELAND, OH 44114 **CONFIRMATION NO. 6800** 

FORMALITIES LETTER

\*OC0000006993074\*

Date Mailed: 10/30/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- . The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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01/31/2002 MWGLDER1 0000001& 0998		Action US-MISSING PAR- Type:	MISSING PARTS	30-Dec-2001 30-Jan-2002 28-Feb-2002 30-Mar-2002 30-Apr-2002	
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Verified: